

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

CIVIL ACTION
No. 85-0489-RGS

v.

METROPOLITAN DISTRICT
COMMISSION, et al.

Defendants.

CONSERVATION LAW FOUNDATION OF
NEW ENGLAND, INC.,

Plaintiff,

v.

CIVIL ACTION
No. 83-1614-RGS

METROPOLITAN DISTRICT
COMMISSION, et al.

Defendants.

MASSACHUSETTS WATER RESOURCES AUTHORITY'S STATUS REPORT

The Massachusetts Water Resources Authority (“Authority” or “MWRA”) respectfully submits the following Status Report in accordance with the Court’s order dated January 2, 2025 (ECF No. 1918).

I. Introduction

On December 27, 2024, the Authority submitted its *Update to the Final CSO*

Post Construction Monitoring Program and Performance Assessment Report (December 27, 2024) (ECF No. 1917-1). Recognizing, however, the complexity of the issues raised, the interests of the parties, and the ongoing efforts to amicably resolve any outstanding issues, the Court set March 27, 2025, as the date for the Authority to file a status report on the ongoing discussions among and between the MWRA, EPA, MassDEP, and the Conservation Law Foundation (“CLF”) (ECF No. 1918).

II. Status Report

Over the last ninety days, the Authority, EPA, and MassDEP have met on several occasions (including as recently as yesterday) to see if there is potential for an amicable resolution of the outstanding issues. The Authority has also recently met separately with CLF.

To date, the parties have not been able to reach agreement. However, the Authority has expressed its interest in continuing the discussions. Accordingly, the Authority requests an additional 60 days to continue settlement discussions and will provide a status report to the Court regarding the progress of those ongoing discussions at that time. In the interim, if the Court believes it would be helpful, the Authority would be available for a status conference.

Respectfully submitted,

MASSACHUSETTS WATER RESOURCES
AUTHORITY

By its attorney,

ATTORNEY GENERAL
Andrea Joy Campbell

By: /s/ Jonathan M. Ettinger
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March 27, 2025

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this document, which was filed via the Court's ECF system, will be sent electronically by the ECF system to the registered participants as identified on the Notice of Electronic Filing (NEF) and electronic copies will be sent to those indicated as non-registered participants (excluding Christopher Little of Pierce Atwood, who has retired from the practice of law, Lawrence Liebesman and Joseph McGovern, who no longer work at the U.S. Department of Justice, and Edward J. DeAngelo, who no longer works at the Attorney General's Office) on March 27, 2025.

/s/ Jonathan M. Ettinger
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Dated: March 27, 2025